

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

S.K., on behalf of N.K.,

Plaintiff,

v.

PARSIPPANY-TROY HILLS BOARD OF
EDUCATION,

Defendant.

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Civil Action No. 07-4631 (SRC)

ORDER

CHESLER, District Judge

This matter having comes before the Court on cross-motions by Plaintiff S.K. and by Defendant Parsippany-Troy Hills Board of Education (“School District”) for summary judgment [docket items # 9 and 13]; and also upon the School District’s motion to declare the educational placement it proposes for N.K. to be his stay-put placement pending any further proceedings (the “stay-put motion”) [docket item #14]; and the Court having considered the papers submitted by the parties in connection with these motions, the record of the administrative proceedings below and the additional evidence submitted by Plaintiff pursuant to this Court’s June 30, 2008 Order; and the Court having decided to rule on these motions without oral argument, pursuant to Federal Rule of Civil Procedure 78; and for the reasons expressed in the Opinion filed herewith; and for good cause shown,

IT IS on this 9th day of October, 2008,

ORDERED that Plaintiff's motion for summary judgment [docket item # 9] be and hereby is **DENIED**; and it is further

ORDERED that Defendant's cross-motion for summary judgment [docket item # 13] be and hereby is **GRANTED**; and it is further

ORDERED that Defendant's stay-put motion [docket item # 14] be and hereby is **DENIED**.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J